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Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BZ

UNITED STATES OF AMERICA,) Civil No.:
Plaintiff,) AT LAW AND IN ADMIRALTY
v.) (Proposed)
Tackle, apparel, furnishings, spares, tools,) ORDER FOR ISSUANCE OF A
equipment and certain other appurtenances of) WARRANT OF ARREST
the SS INDEPENDENCE (O.N. 261147),)
<u>in rem</u> ,)
Defendant.)

Upon reading the verified complaint and supporting exhibits filed therewith, and the
United States' Application for Issuance of Warrant of Maritime Arrest and supporting

1 | declarations, and the Court finding that the conditions for an action, in rem, under
2 | Supplemental Admiralty Rule C of the Federal Rules of Civil Procedure and Local Admiralty
3 | Rule 3-1(a) and (d) appear to exist, it is

4 | ORDERED that the Clerk shall issue a warrant of maritime arrest as prayed for in the
5 | complaint; and it is further

6 | ORDERED that a copy of this order be attached to and served with the said warrant
7 | of maritime arrest and also served upon the shipowner debtor's counsel of record in its
8 | bankruptcy action; and it is further

9 | ORDERED that any person claiming a right of possession or any ownership interest
10 | in the tackle, apparel, furnishings, spares, tools, equipment and certain other appurtenances
11 | of the SS INDEPENDENCE (O.N. 261147), in rem, (hereinafter the "vessel's appurtenances,
12 | etc."), arrested pursuant to this order, with the exception of the shipowner debtor which filed
13 | for bankruptcy protection, shall, in accordance with Supplemental Admiralty Rule C(6) of
14 | the Federal Rules of Civil Procedure, file a verified statement of right or interest with the
15 | Clerk of the Court and an answer, and shall, upon application to the Court, be entitled to a
16 | prompt hearing at which the plaintiff shall be required to show why the arrest should not be
17 | vacated or other relief granted; and it is further

18 | ORDERED, that pursuant to 46 U.S.C. Sec. 31325, notice be given to any person
19 | who had duly recorded a notice of claim of an undischarged lien upon the SS
20 | INDEPENDENCE and its appurtenances by delivering to such person or mailing by certified
21 | mail return receipt requested to the last known address of such person, a copy of the
22 | complaint and the warrant of arrest issued by the Court herein; and it is further

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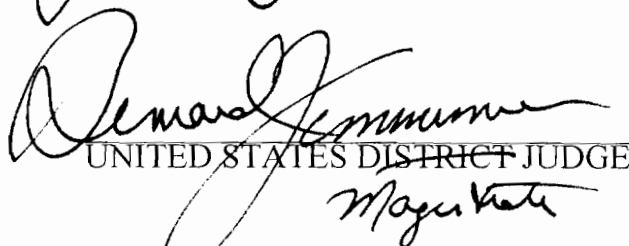
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1 ORDERED that maritime lienors or other persons making a claim against the Vessel's
2 appurtenances, etc., in accordance with Supplemental Admiralty Rule C of the Federal Rules
3 of Civil Procedure, must file applications for intervention within thirty (30) days after
4 publication of the Notice of Arrest and Filing of Action; and it is further

5 ORDERED that a copy of this order be attached to and served with the said Warrant.


6 IT IS SO ORDERED this 7 day of January 2008.

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UNITED STATES DISTRICT JUDGE
Magistrate

PRESENTED BY:

DATED: 12/5/07

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